

September

OF THE COMMON COUNCIL

MEMBERS _____ VIZ:

SCHMIDT T, STIER P, TALARICO P

COUNCILMAN: _____, _____, _____

THE MINUTES OF THE LAST REGULAR September 8,, 19 87,

SPECIAL _____, 19____,

AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday, the 22nd day of September, 19⁸⁷, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 23rd day of September, 19⁸⁷,

SANDRA E. KENNEDY, CITY CLERK

COMMUNICATIONS FROM THE MAYOR

September 10, 1987

To the Common Council
Gentlemen and Mrs. Bradbury:

Today, September 10, 1987, I have approved the following Ordinances and resolutions passed by the Common Council at this meeting of September 8, 1987.

(Bill No. R-87-08-23)
DECLARATORY RESOLUTION NO. R-56-87

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3011 Congressional Parkway, Fort Wayne, Indiana 46808. (Ottenweller Co., Inc., Petitioner)

(Bill No. R-87-08-24)
RESOLUTION NO. R-57-87

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF \$3,000,000 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT FORT WAYNE REGIONAL BLOOD SERVICES ALLEN-WELLS CHAPTER TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-87-09-02)
DECLARATORY RESOLUTION NO. R-58-87

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3404 Conestoga Drive, Fort Wayne, Indiana 46808 (Cole Properties, Petitioner)

(Bill No. R-87-09-04)
DECLARATORY RESOLUTION NO. R-59-87

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 7701 Opportunity Drive, Fort Wayne, Indiana (The Schenkel Corporation, Petitioner)

(Bill No. R-87-09-06)
DECLARATORY RESOLUTION NO. R-60-87

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as Lots 7 and 8, Summit Industrial Park, Fort Wayne, Indiana (J.D. Summit Associates, Petitioner)

(Bill No. R-87-09-08)
DECLARATORY RESOLUTION NO. R-61-87

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3404 Conestoga Drive, Fort Wayne, Indiana 46808 (Fort Wayne Foundry Corporation - Machining Division, Petitioner)

(Bill No. Z-87-10-22)
ZONING MAP ORDINANCE NO. Z-23-87

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-3

(Bill No. S-87-08-25)
SPECIAL ORDINANCE NO. S-234-87

AN ORDINANCE approving Change Order No. 1 for Res. 6066-86, Liberty Street Sidewalks, with Miller and Associates, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-08-26)
SPECIAL ORDINANCE NO. S-235-87

AN ORDINANCE approving Change Order No. 1 Res. 6082-87, Woodhurst - Fairfax to Tacoma, Curbing, with TOMCO Construction, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-08-27)
SPECIAL ORDINANCE NO. S-236-87

AN ORDINANCE approving Change Order No. 1 and FINAL for Res. 193-87, Kensington Street Lighting, with Weikel Line Company, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-08-28)
SPECIAL ORDINANCE NO. S-237-87

AN ORDINANCE approving Change Order No. 1 and FINAL, Res. 184-87, Corwin Lane Street Lighting, with Weikel Line Company, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill NO. S-87-08-29)
SPECIAL ORDINANCE NO. S-238-87

AN ORDINANCE approving Change Order No. 1 (Final) for RES. 896-85, McKinnie-Senate Sewer, with All Star Construction and Excavating, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-08-39)
SPECIAL ORDINANCE NO. S-239-87

AN ORDINANCE approving Change Order No. 1 and FINAL for Res. 86-XP-7, Hanauer Road Water Main, with John dehnner, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

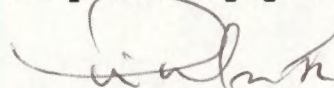
(Bill No. S-87-08-31)
SPECIAL ORDINANCE NO. S-240-87

AN ORDINANCE approving City Utilities Purchase Order Number 09329, by the City of Fort Wayne, Indiana by and through its Department of Purchasing, with General Electric Supply, for the Street Light Warehouse

(Bill No. S-87-08-32)
SPECIAL ORDINANCE NO. S-241-87

AN ORDINANCE approving Contract for Res. 449-87, Portage/Hawthorne Drainage Improvement, between Gaines Construction Company, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

Respectfully yours,



Win Moses, Jr.
Mayor



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

9 September 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

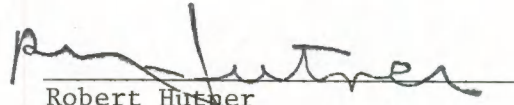
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-08-06

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
9th day of September 1987.


Robert Hutsner
Secretary

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment
From R-3 to POD

DETAILS

Specific Location and/or Address

1340 through 1370 Medical Park Drive

Reason for Project

Construction of Office Complex

Discussion (Including relationship to other Council actions)

17 August 1987 - Public Hearing

Jon Bomberger, representing Shive Nursing Center Inc., the developer of the project appeared before the Commission. He stated that the project is located off of North Clinton Street. He stated it is a tract of about 4.74 acres, the surrounding area is primarily office development. He stated they were seeking the rezoning in order to construct on the site 4 office buildings, with a gross leasable square footage of about 24,358 with 104 parking spaces to serve the building. He stated that they are aware of the staff comments and they are working with the staff and did not feel there were any problems.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

Shive Nursing Center
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff Recommendation

☒ For ☐ Against

Reason Against

Board or Commission Recommendation

By

☒ For ☐ Against

☐ No Action Taken

☐ For with revisions to condition
(See Details column for condition)

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

24 August 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the 9 members present 8 voted in favor of the motion, one (1) did not vote.

NOTE: Conditions placed on a POD are on the development plan and will have to be satisfied prior to any construction permits being released.

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 17 July 1987

Projected Completion or Occupancy

Date 9 September 1987

Fact Sheet Prepared by

Patricia Biancaniello

Date 9 September 1987

Reviewed by

Gary Banta

Reference or Case Number

Date

9/9/87

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 11, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-08-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1987.

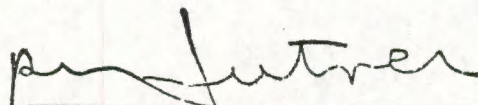
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 24, 1987.

Certified and signed this
9th day of September 1987.



Robert Hutner
Secretary

John R. Donovan, agent for Shive Nursing Centers Inc., requests a change of zone from R-3 to P.O.D.

Location: 1340-1370 Medical Park Drive

Legal: See File

Land Area: Approximately 4.74 Acres

Zoning: R-3

Surroundings:	North	R-3	Offices
	South	R-3	Apartments
	East	RA	Open
	West	R-3/B1B	Offices

Reason for Request: Development of a Professional Office District

Neighborhood Assoc.: None

Landscape: No Comment

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The goal in the North Sector, where this request is located, is for orderly growth.

Neighborhood Plan: No Comment

Planning Staff Discussion:

This petition is located in an area located east off of North Clinton Street, and just north of Northcrest Shopping Center. The general area has been developed primarily as medical offices, but does include other office uses, and a nursing home. There is an apartment complex located to the south of the site.

Zoning has many aspects involved in proper analysis of a request to rezone. The potential impact is examined, as well as its effect on property values and use possibilities. As this area has primarily been developed for office use, this project will constitute an in-fill development. In addition to meeting all criteria for a proper change of zone, it will also allow the developer/users to have adequate signage within the project.

Approval will enhance the characteristic of orderly growth and will improve this area's identification as an office park

setting. The incorporation of the variety of uses will further enhance the general area.

Recommendation: Do Pass

- 1) Approval will provide for orderly growth, with development plan site approval of the Plan Commission required.
- 2) Approval will not adversely impact the surrounding area in terms of property values or compatibility.
- 3) Approval will be consistent with existing development.



The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

9 September 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-08-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
9th day of September 1987.

A handwritten signature in dark ink, appearing to read "R. Hutner", is written over a horizontal line.

Robert Hutner
Secretary

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

From R-1 to POD

DETAILS

Specific Location and/or Address 3300 Block of Trier Road (Northeast corner of Trier & Hobson)
Reason for Project New Office Building
Discussion (Including relationship to other Council actions) <u>17 August 1987 - Public Hearing</u> See Attached for Minutes of Hearing <u>24 August 1987 - Business Meeting</u> Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried. Of the 8 members present 7 voted in favor of the recommendation one (1) did not vote.

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/Proponents	Applicant(s) Gary Leman/Paul Steman City Department Other
Opponents	Groups or Individuals Allen Hope, 3828 Hobson Rd Steve Morrell, 4030 Captiv Basis of Opposition -would create water runoff problem -already properly zoned lan in area for offices
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS**POLICY/PROGRAM IMPACT****Policy or
Program
Change**☐**No**☐**Yes****Operational
Impact
Assessment**

(This space for further discussion)

Project Start**Date** 15 July 1987**Projected Completion or Occupancy****Date** 9 September 1987**Fact Sheet Prepared by**

Patricia Biancaniello

Date 9 September 1987**Reviewed by****Date****Reference or Case Number**

- a. Change of Zone #290
From R-1 to POD
3315 Trier Road

Chuck Cogdell, attorney representing the petitioner, Gary Leamon. He stated that Mr. Leamon owns the corner lot and when he purchased it, in 1983, the county had jurisdiction and Mr. Leamon successfully had the property rezoned to a POD designation. He stated that he had been attempting since then to purchase Lot 43. He stated he has just recently had the opportunity to purchase the lot and is doing so subject to the property being rezoned. He stated that the plat restrictions for Sanibel Acres, which Lot 43 is a part of, do prohibit the use of the Lots for anything other than residential purposes. He stated however Mr. Leamon had personally carried an amendment to the restrictive covenants to the owners of each and every lot in Sanibel Acres. He stated that the amendment to the plat restriction is the authorization to utilize Lot 43 for any use allowed in a POD. He stated that they have well over the 65% of property owners signing the amendment, almost 95% of the property owners have signed. He stated that this development would work as a buffer in the area. He stated that the adjoining property owners have consented to the zoning change.

Steve Morrell, 4030 Captiva Drive, appeared in opposition to the proposed rezoning. He stated that he was opposed to any POD within the area of Sanibel Acres. He stated that he felt there was plenty of office space on the southwest corner and also 1/4 mile to the north. He stated there is also a new office development going up on Coliseum Blvd.

Mr. Leamon the petitioner stated that the adjacent property owners stated that they would be delighted to have the property rezoned to a POD and to have the drive 20 feet west of their property so that people would be turning around in his drive and not theirs.

Chuck Cogdell stated the corner lot is already zoned POD and all

they are asking for is an extension of that POD zoning.

Chuck Cogdell is speaking to the preliminary development plan for 3315 Trier Road showed an artists rendering to the Commission of the proposed office building. He stated that this building would be the type of architecture that the POD classification has in mind in the sense that it offers a transitional type of construction from the outright commercial type of architecture, which would make it the easy transition into the residential type of architecture. He stated that the drainage system has been worked out and is very complete. He stated that if Lot 43 is rezoned it will allow Mr. Leamon to construct the entranceway that much further east of the intersection of Hobson and Trier Roads.

Mel Smith questioned what the height of the building would be.

Bill McAllister the architect stated that it is 8' 10" to the eave and another 4' above the eave. He stated it is a single story structure.

Baron Biedenweg questioned if there were sidewalks presently along Trier Road or if they would be putting them in.

Mr. Leamon stated they do not exist they would be putting them in.

Allen Hope, 3828 Hobson Road, appeared in opposition to the development plan. Mr. Hope stated that he opposed the original rezoning when it was before the County Plan Commission. He stated that they are concerned with the drainage from the property. He stated there is a minor problem there presently and if he builds there this will increase the problem. He stated that the neighbor next to him has a pool and a privacy fence and this building would overlook the privacy fence. He stated that he is also asking for a variance from the required 40' setback to 15'. He stated that he felt this setback variance should not be granted. He felt that the vacating of the utility easement would be a burden on the neighbors by requiring the utility companies to cross their properties and perhaps remove fencing to do so. He stated that there is already vacant property within the city limits zoned for business that he could utilize for an office. He stated that Mr. Leamon has not developed the property on the corner since it was rezoned and felt the city should revoke the business zoning.

Mr. Leamon stated that when he purchased the lot that is presently zoned POD he was under the impression he was purchasing Lot 43 also. He stated that Lot 43 has been tied up in an estate

for 6 years it has just recently been made available for purchase. He stated when they started their development plan work they were encouraged by Traffic and Street Engineering to purchase Lot 43 because of the safety factors of putting in the entrance. He stated that the drainage problem from this property will be helped by this development and not hindered. He stated that presently there is a lot of drainage to the north with the development and the drainage system planned for the property there will not be any runoff it will all be carried away in tiles.

Mel Smith questioned the need for vacating the easement.

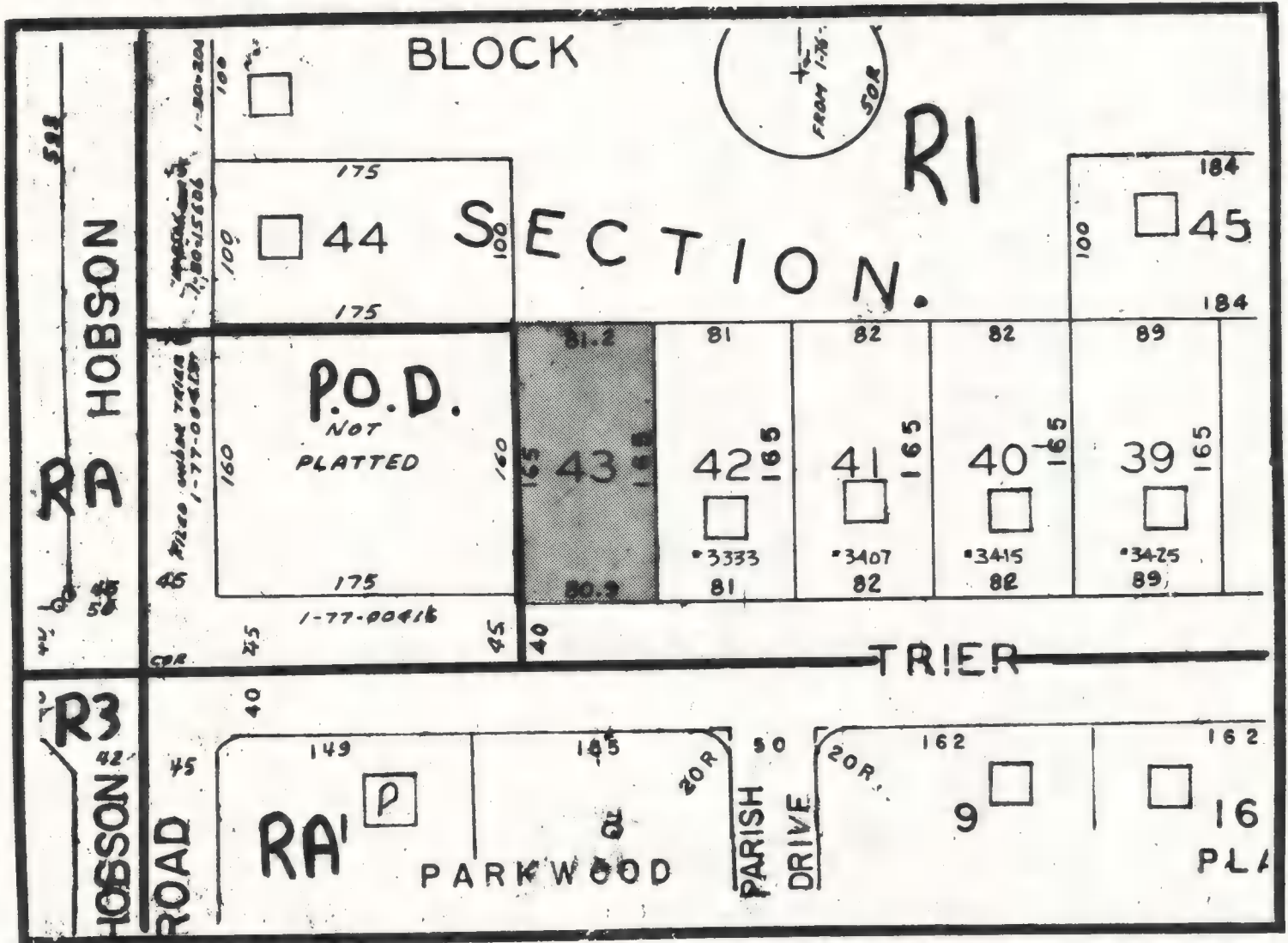
Mr. Leamon stated that if he puts his entrance at Lot 43 they will have to cross the easement. He stated that he owned the corner lot and there will be plenty of room for the utilities to gain access from Hobson without impeding anyone's fence. He stated that they have spoken with the Landscape Architect about putting in the proper shrubbery so they would not be overlooking the property next door.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-1 DISTRICT TO A P.O.D. DISTRICT.

MAP NO. R-26

COUNCILMANIC DISTRICT NO. 2



ZONING:

R1 RESIDENTIAL DISTRICT
 R3 RESIDENTIAL DISTRICT
 RA RESIDENCE 'A'
 P.O.D. PROFESSIONAL OFFICE DISTRICT

LAND USE:

☐ SINGLE FAMILY
☐ PUBLIC-CHURCH

SCALE: 1"=100'

DATE: 7-29-87



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 11, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-08-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 24, 1987.

Certified and signed this
9th day of September 1987.



Robert Hutner
Secretary

Charles Cogdell, attorney for Gary Leman (buyer) and Paul Steman (owner), request a change of zone from R-1 to P.O.D.

Location: 3315 Trier Road

Legal: Lot 43 Sanibel Acres

Land Area: Approximately 0.30 Acres

Zoning: R-1

Surrounding:	North	R-1	Residential
	South	RA	Church/Residential
	East	R-1	Residential
	West	POD	Open

Reason for Request: Development as a Professional Office District

Neighborhood Assoc.: Ranchwood Neighborhood Association

Landscape: No Comment

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The goal in the Middle Ring, where this request is located, is to maintain investment and prevent deterioration in existing neighborhoods.

Neighborhood Plan: No comment

Planning Staff Discussion:

Mr. Leman has an interest in the purchase of this lot in order to enlarge the parcel of ground that he owns to the west, which will also be developed as a Professional Office District.

The acquisition of this lot will allow him to provide additional buffering to the residential uses to the east, and will allow him to construct his access further away from the Hobson intersection.

The lot currently has restrictive covenants which prevent its use as anything other than residential. However, Mr. Leman has obtained the signatures and submitted documentation amending those covenants to allow for POD uses and signage.

With the neighborhood support, and the overall design concept of the POD development as a transition between more intense and less intense uses, this should be an appropriate petition for the Commission to approval.

Recommendation: Approval

1) Approval will establish a transitional zone between intensities of use, providing protection of residential property values.

2) Approval will be in the best interests of residents of the immediate area.

3) Approval will allow development to occur subject to site plan review and approvals of the Plan Commission.



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

9 September 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-08-12

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
9th day of September 1987.

A handwritten signature in dark ink, appearing to read "Robert Hutner", is written over a horizontal line.

Robert Hutner
Secretary

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

From R-3 to B-1-A

DETAILS

Specific Location and/or Address

2316 Lower Huntington Road

Reason for Project

Beauty Salon

Discussion (Including relationship to other Council actions)

17 August 1987 - Public Hearing

Sherry Donaghy, representing the petitioners stated that they wanted to put a styling salon in the property. She stated they would have approximately 13 parking spaces to the front of the property. She stated they might also put an office space in the rear of the building.

Tom Donaghy, stated that he felt the type of use they were proposing would be more attractive than multi-family, which is allowed in the present zoning.

David Hart, 6617 Liberty Drive, stated that he was concerned about the traffic at this location. He stated it is already difficult to get through the intersection because of the heavy traffic. He stated another business would only add to the congestion.

Sherry Donaghy stated in rebuttal that they feel they will upgrade the property with their proposal. She stated it is presently an eyesore and felt what they wanted to do would be a benefit to the community.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents**

Applicant(s)
KKGS Inc

City Department

Other

Opponents

Groups or Individuals

David Hart, 6617 Liberty D

Basis of Opposition

-would add to traffic congestion

**Staff
Recommendation**

☐ For ☒ Against

Reason Against

-would encourage similar requests & allow commercial encroachment in residential area

**Board or
Commission
Recommendation**

By

☐ For ☒ Against

☐ No Action Taken

☐ For with revisions to condition
(See Details column for condition)

**CITY COUNCIL
ACTIONS
(For Council
use only)**

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

24 August 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO NOT PASS recommendation, motion carried.

Of the 9 members present 8 voted in favor of the motion one (1) did not vote.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 17 July 1987

Projected Completion or Occupancy

Date 9 September 1987

Fact Sheet Prepared by

Patricia Biancaniello

Date 9 September 1987

Reviewed by

Paul Baxter

Date 9/9/87

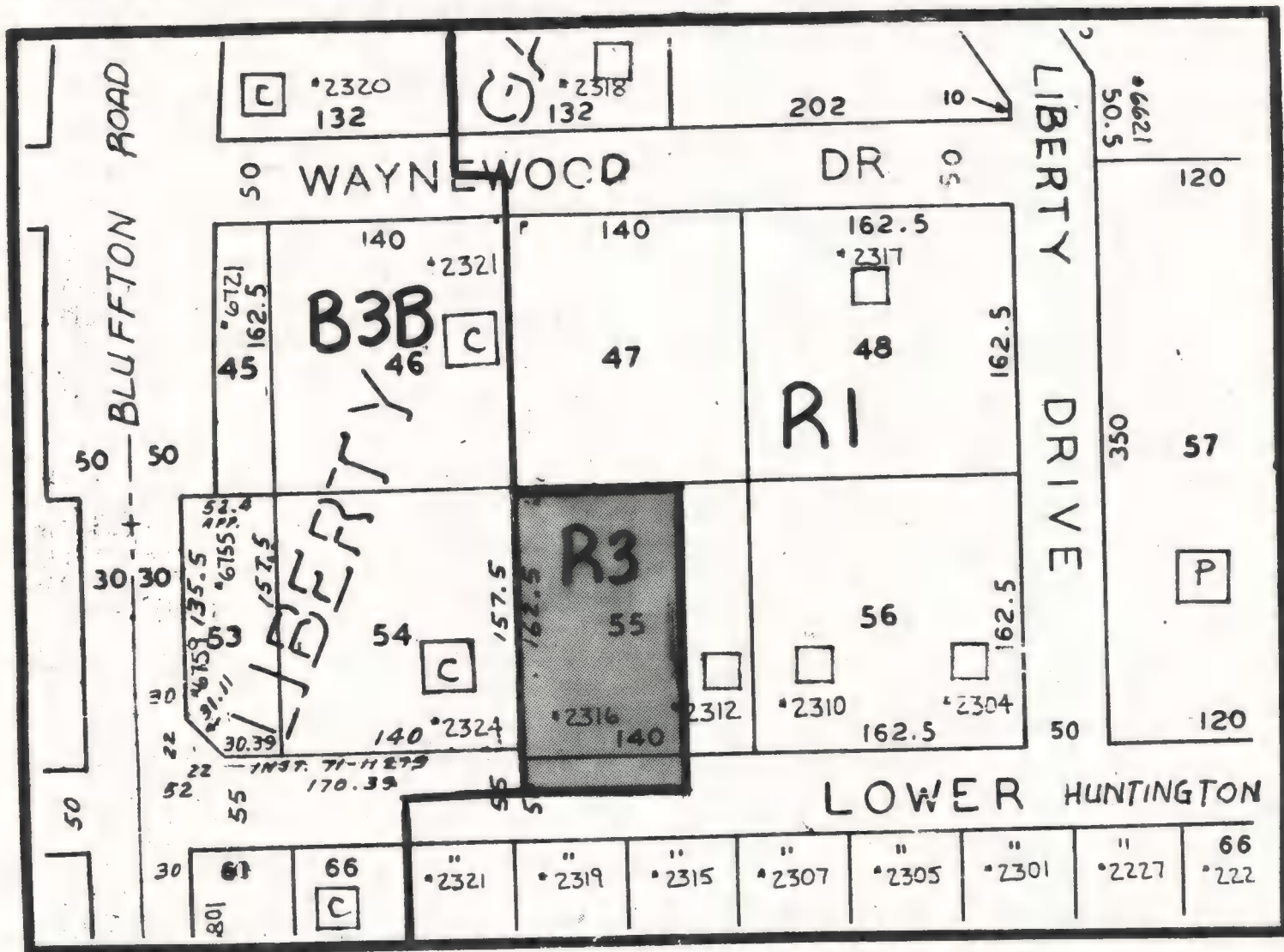
Reference or Case Number

REZONING PETITION #299

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-3 DISTRICT TO A B-1-A DISTRICT.

MAP NO. J-27

COUNCILMANIC DISTRICT NO. 5



ZONING:

R1 RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
B3B GENERAL BUSINESS 'B'

LAND USE:

☐ SINGLE FAMILY
☒ COMMERCIAL
☒ PUBLIC-CHURCH

SCALE: 1" = 100'

DATE: 7-29-87



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 11, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-08-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

- (1) the grant will be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 24, 1987.

Certified and signed this
9th day of September 1987.



Robert Hutner
Secretary

KKGS, Inc. requests a change of zone from R-3 to B-1-A.

Location: 2316 Lower Huntington Road

Legal: W 95 feet of Lot 55 Liberty Gardens Addition

Land Area: Approximately 0.35 Acres

Zoning: R-3

Surroundings:	North	R-1/B-3-B	Residential/Commercial
	South	R-1/B-3-B	Residential/Commercial
	East	R-1	Residential
	West	B-3-B	Commercial

Reason for Request: Not stated

Neighborhood Assoc.: None

Landscape: No Comment

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The goal in the Middle Ring, where this request is located, is to maintain investment and prevent deterioration in existing neighborhoods.

Neighborhood Plan: No Comment

Planning Staff Discussion:

This parcel has appeared before the Plan Commission previously. In 1984 a petition was filed to rezone the property from R-2 to B-3-B. It was perfected to R-3 by the Plan Commission and approved by Common Council. It was not believed at that time to be appropriate for B-3-B as requested.

In 1985 a petition was filed to rezone this property from R-3 to B-3-B. The Plan Commission once again did not feel that such a rezoning was appropriate, and recommended denial of the petition. Common Council agreed, citing the Plan Commissions concern for adverse impact on the surrounding area, and the availability of land to the south and west.

Lower Huntington Road carries a large volume of traffic as it is

a convenient route from the Waynedale area to the mall area. Encouraging additional traffic would not be in the best interest of the abutting residents and could encourage additional traffic congestion and possible conflicts.

The requested zoning would permit a number of use that could be highly detrimental to the residential quality of the neighborhood. Field survey indicates that there appears to be adequate properties in the immediate area (south or west) that have the requested zoning. Approval would additionally be very unwise as it would encourage commercial encroachment to the east.

As the petitioner has not stated the intended use on the application, we are not in a position to address possible alternatives to rezoning. However, it should be pointed out that the R-3 designation does allow for an office, with Board of Zoning Appeals approval.

Recommendation: Do Not Pass

- 1) Approval would encourage similar petitions, allowing commercial encroachment into a non-commercial area.
- 2) Approval would allow a number of intense land uses that could have adverse impact on the surrounding area.



The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

9 September 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-08-11

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
9th day of September 1987.

A handwritten signature in dark ink, appearing to read "Robert Hutner", is written over a horizontal line.

Robert Hutner
Secretary

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

Zoning Ordinance Amendment

From R-3 to B-3-B

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

1910 Spy Run Avenue

Reason for Project

To establish small speciality shop.

Discussion (including relationship to other Council actions)

17 August 1987 - Public Hearing

Madelyn Gocke, representing the petitioner stated that she owned and operated a small speciality shop on E. State Street, which is doll shop. She stated her sister (Norma Werling) purchased this home in order for her to move her business into the home. She stated that they had also discussed a small art gallery, a tea shop and perhaps a Bed & Breakfast in the upstairs of the home. She stated that her sister had spoken with Richard Larowe, Planner for the City's Historic Preservation Review Board, and she also had Mr. Leonard a historian look at the house and would like it to go on the National Register if possible. She stated they have no definite plans with the exception of the doll shop.

Steve Smith questioned why they were asking for the B-3-B zoning.

Ms. Gocke stated she was not aware of why they requested that designation. Linda Parker stated they requested the B-3-B out of ignorance. She stated this process was all new to them and they were not familiar with what would be required to run their business.

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Norma Werling City Department Other
Opponents	Groups or Individuals Tom Pearson, Pres of Spy Run Neighborhood Assn Basis of Opposition -detriment to area -area is in processing of downzoning to R-1 this would not be character of area
Staff Recommendation	<input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against -not compatible with area -encourage commercial encroachment in area
Board or Commission Recommendation	By <input type="checkbox"/> For <input checked="" type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

Steve Smith suggested that the petitioners meet with Wayne O'Brien of the plan commission staff and see if they could come up with a more appropriate zoning designation or possibly they could go with a Use Variance.

Tom Pearson, 613 Wagner Street, President of the Spy Run Neighborhood Association stated they were in opposition to the rezoning. He stated that the B-3-B designation was too unrestrictive for this area. He stated they were concerned by the lack of any written purposes for the use of the building. He stated that if the property were sold the building could be razed and with a B3B zoning could allow for a business that would be detrimental to the area. He stated that the Spy Run Neighborhood Association has been working for 1½ years to downzone this area to R-1 in order to preserve the residential character of the area. He stated rezoning this property would be contrary to those efforts. He stated they would prefer the owner apply for a Use Variance.

Madelyn Gocke stated that they have already gone to considerable expense to see if they can have the home placed on the National Register. She stated that they requested the B-3-B because they were unaware of what zoning zoning or other procedure they would require.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

POLICY/ PROGRAM IMPACT**Policy or
Program
Change**☐

No

☐

Yes

**Operational
Impact
Assessment****(This space for further discussion)**24 August 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO NOT PASS recommendation, motion carried.

Of the 8 members present 7 voted in favor of the motion one (1) did not vote.

Project Start**Date** 16 July 1987**Projected Completion or Occupancy****Date** 9 September 1987**Fact Sheet Prepared by****Date** 9 September 1987

Patricia Biancaniello

Reviewed by**Date***Larry Butts*

9/9/87

Reference or Case Number

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING
THE DESCRIBED PROPERTY FROM AN R-3 DISTRICT TO A B3B DISTRICT.

COUNCILMANIC DISTRICT NO. 3



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 11, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-08-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 24, 1987.

Certified and signed this
9th day of September 1987.



Robert Hutner
Secretary

Linda Parker requests a change of zone from R-3 to B-3-B

Location: 1910 Spy Run Ave.

Legal: See File

Land Area: Approximately 0.725 Acres

Zoning: R-3

Surroundings:	North	R-3	Residential
	South	B-1-B	Commercial
	East	R-3	Residential
	West	R-3	Residential

Reason for Request: Not stated

Neighborhood Assoc.: Spy Run Association

Landscape: No comments.

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. There are three main goals for the Central Area, where this request is located: 1) to maintain existing development: 2) to halt deterioration and 3) to encourage re-investment.

Neighborhood Plan: The 1985-87 Community Development and Housing Plan recommends that land use decisions "prevent incompatible land uses from encroaching on the single-family character of the neighborhood and stabilize the existing land use mix to maintain the residential quality of the NSA".

Planning Staff Discussion:

The proposed rezoning described in this petition would affect a structure currently used for multi-family housing, presumably removing the building from residential use. Therefore, the plan would recommend denial of the petition.

The Plan Commission has seen recent rezoning activity in this

area due to the Spy Run Neighborhood Associations efforts to downzone property in order to preserve residential integrity. The Community Development and Housing Plan for this area would seem to be in opposition to a change of zone, as the more intense B-3-B uses could deprive this area of a unique housing structure.

In evaluation of this petition, we considered the merits of perfecting the request to a less intense commercial designation. However, the lowest "Limited Business Use" would still allow approximately 90 different uses, of varying intensities. We feel the intensification of land use in this area would adversely impact the residential quality of life. Approval would permit and encourage commercial encroachment. In this area, where the neighborhood has already done so much to stabilize and improve, approval of this request would be unwarranted.

While we do not approve of the rezoning of this parcel to B-3-B, we do have some concerns over the potential uses of the site. We have anticipated that the petitioner is considering using the site as a "Bed and Breakfast" establishment, with the possibility of associated uses. If this is in fact the case, we would strongly suggest a discussion with staff to determine whether or not the Board of Zoning Appeals might be in a position to approve such use. BZA approvals can provide an acceptable alternative to rezoning in many instances, protecting the neighborhoods concerns, while still allowing for controlled growth.

Recommendation: Do Not Pass

- 1) Approval would not be compatible with the character of uses located immediately east.
- 2) Approval would encourage commercial encroachment into other residential areas.
- 3) Permitted uses could have an adverse impact on the surrounding properties.



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

19 August 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated alley and a portion of a dedicated street.

The proposed ordinance is designated as:

BILL NO. G-87-05-34

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
19th day of August 1987.

A handwritten signature in dark ink, appearing to read "R. Hutner", is written over a horizontal line.

Robert Hutner
Secretary

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Street & Alley Vacation

DETAILS

Specific Location and/or Address

Dusing Avenue north of 3903 Dusing Avenue and the alley between the North 127 feet of Lots 4 & 5 Fernhill Place Amended Addition.

Reason for Project

To facilitate the future expansion of the Glenbrook Shopping Center to be known as "Glenbrook Commons".

Discussion (Including relationship to other Council actions)

18 May 1987 - Public Hearing

Robert Hoover, attorney for Landau & Hindman Inc., the developer and manager of Glenbrook Shopping Center stated that the street and alley they were proposing to vacate were in the middle of the area that they were at this time trying to rezone and as amendment to the Glenbrook Shopping Center. He stated that whenever they acquired property on either side of a street or an alley it has been the practice of the center to vacate that right-of-way. He stated that the petition to vacate the portion of Dusing and a portion of alley being heard that evening falls within the area that would be designated as the new detention pond. He stated that the alley and street are not being used for any ingress or egress. He stated if there are any utilities in the street or alley they have agreed to relocate them at their expense.

There was no one who wished to speak in favor or or inopposition to the proposed vacation.

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Landau & Hindman Inc City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditio (See Details column for conditio
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pa

DETAILS

1 June 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation with the condition that the petitioners provide utility easements as needed, and providing a turn around at the end of Dusing Avenue such "turn around" design to be approved by Traffic Engineering and Street Engineering.

Of the eight members present 6 voted in favor of the motion, one abstained one did not vote, motion carried.

NOTE: The petitioner has agreed to provide the utility easement as needed but Jess Yoder, City Engineer stated in a memo that the "turn around" would not be necessary due to the close proximity of the deadend of Dusing Avenue to the intersection of Dusing and Fernhill.

POLICY/ PROGRAM IMPACT

**Policy or
Program
Change**

☐

No

☐

Yes

**Operational
Impact
Assessment**

(This space for further discussion)

Project Start

Date 15 April 1987

Projected Completion or Occupancy

Date 2 September 1987

Fact Sheet Prepared by

Pat Biancaniello

Date 2 September 1987

Reviewed by

Jay Baiton

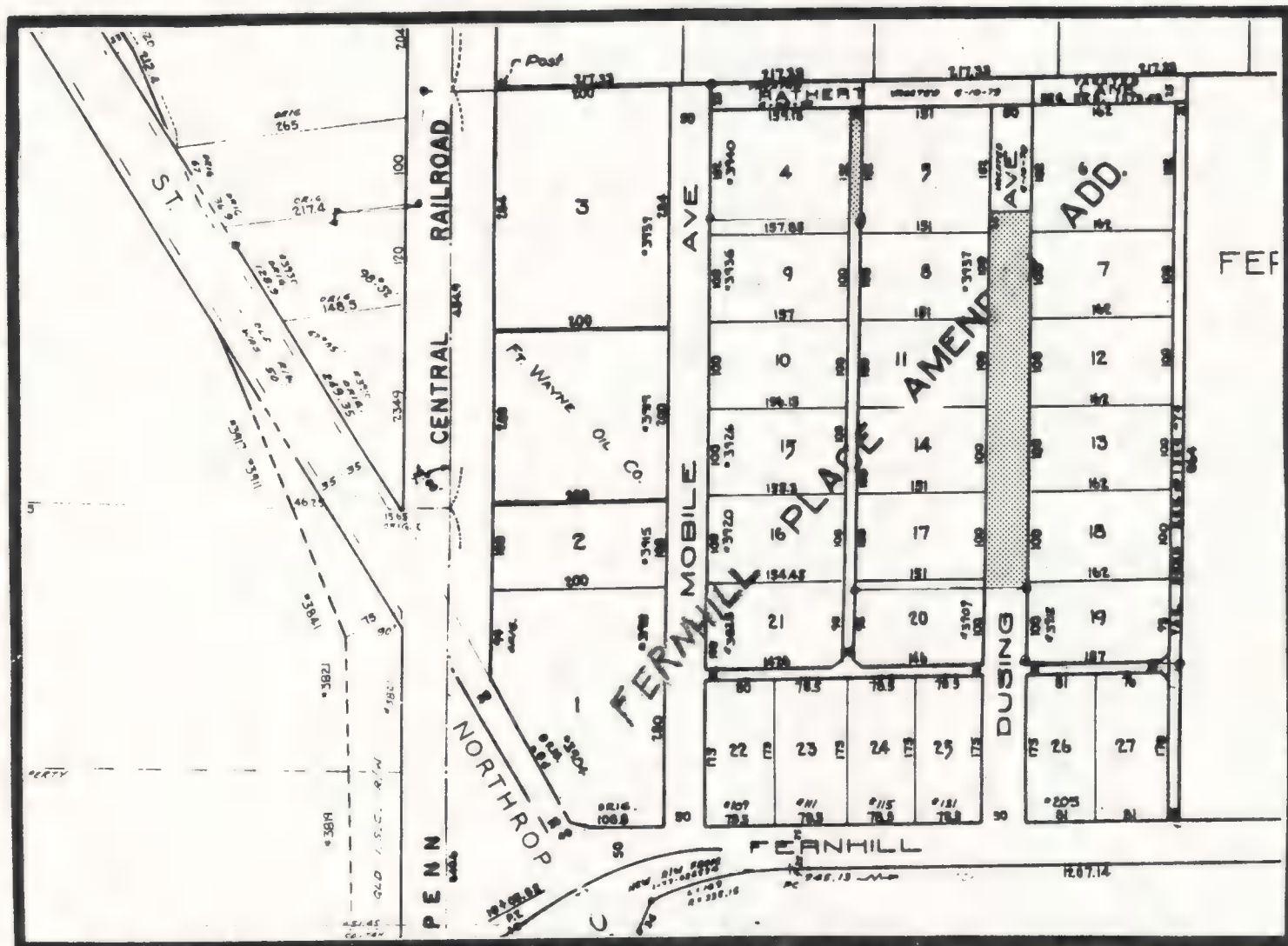
Date 9/10/87

Reference or Case Number

A PETITION TO VACATE THE DESCRIBED PORTION OF
PUBLIC STREET AND PUBLIC ALLEY.

MAP NO. M-26

COUNCILMANIC DISTRICT NO. 3



ZONING:

LAND USE:

SCALE: 1" = 200'

DATE: 4-28-87



Vacation Petition #267

Robert Hoover, attorney for the petitioner requests the vacation of portions of a public street and public alley.

Location: Dusing Ave., north of 3909
Alley between the north 127 feet of lots 4 and 5

Legal: See file

Land Area: Approximately 0.53 acres

Surroundings: All ground is encompassed in a rezoning petition.

Reason: Commercial development

Neighborhood Assoc.: None

Neighborhood Plan: No Comment

Landscape: No Comment

Comprehensive Plan: No Comment

Planning Staff Discussion:

The petitioner is incorporating these areas in a submitted rezoning petition, and in a development plan for commercial development on this site.

It does not appear that either the street or alley is necessary to any other property owner, nor does anyone else have an interest in those properties.

It would appear that continued maintenance of either parcel is not necessary to continued growth of the City, and that, in fact, the city may better benefit from vacation.

Recommendation: Conditional Approval, contingent upon the petitioner providing utility easements as needed, and petitioner is to provide a "turn around" at the end of Dusing Avenue.

- 1) Approval would be in the best interest of the city.
- 2) Approval would not impact any other property owner.

RESOLUTION

WHEREAS, LAKE COUNTY TRUST COMPANY has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following a public alleys and street in Fort Wayne, Allen County, to-wit:

A PORTION OF PUBLIC ALLEY AND STREET

The proposed vacated Duesing Avenue (50' wide) lying East of Lots 8, 11, 14 and 17, and the South 25 feet of Lot 5, all in Fernhill Place Amended Addition.

The proposed vacated (12' wide) alley lying between the North 127 feet of Lots 4 and 5 in Fernhill Place Amended Addition.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on May 18, 1987, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said alleys or street.

WHEREAS, said vacation of said alleys or street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alleys and street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alleys and street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said alleys or street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said alleys or street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held June 1, 1987, and as the same appears of record in the official records of said Plan Commission.

RESOLUTION 77-151-5

WHEREAS, LAKE COUNTY TRUST COMPANY has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following a public alleys and street in Fort Wayne, Allen County, to-wit:

A PORTION OF PUBLIC ALLEY AND STREET

The proposed vacated Duesing Avenue (50' wide) lying East of Lots 8, 11, 14 and 17, and the South 25 feet of Lot 5, all in Fernhill Place Amended Addition.

The proposed vacated (12' wide) alley lying between the North 127 feet of Lots 4 and 5 in Fernhill Place Amended Addition.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a public alleys and street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alleys and street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alleys and street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public alleys or street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

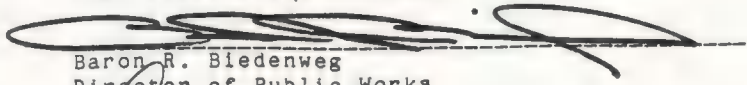
) SS:

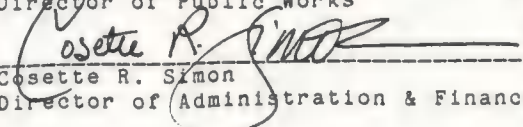
COUNTY OF ALLEN)

I, Baron R. Biedenweg, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held August 19, 1987 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 19th DAY OF August 1987

FORT WAYNE BOARD OF PUBLIC WORKS


Baron R. Biedenweg
Director of Public Works


Cosette R. Simon
Director of Administration & Finance



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

9 September 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated utility easement.

The proposed ordinance is designated as:

BILL NO. G-87-08-13

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
9th day of September 1987.

A handwritten signature in dark ink, appearing to read "Robert Hutner", is written over a horizontal line.

Robert Hutner
Secretary

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

Easement Vacation Ordinance

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

West 7 feet of the South 155 feet of Lot 43 in Sanibel Acres, Section B

Reason for Project

To allow Professional Office Development

Discussion (Including relationship to other Council actions)

17 August 1987 - Public Hearing

Chuck Cogdell, attorney for petitioner, stated that the petitioner owns the property adjacent on the west side of Lot 43 and has entered into an agreement to purchase Lot 43. He stated that the vacation is being requested in conjunction with a rezoning petition (Bill No. Z-87-08-10 - 3300 Block Trier Road) and a preliminary plan for a POD. He stated that it is a platted easement and is not currently being used by any utility, to the best of his knowledge. He stated there is no need for the easement to serve any properties.

Baron Biedenweg questioned if Mr. Cogdell's client would be willing to be responsible for the relocation of any utilities should it be necessary.

Mr. Cogdell stated he believed the petitioner would be willing to be responsible.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Gary Leman Paul Stemen City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

24 August 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the 8 members present 7 voted in favor of the motion one (1) did not vote.

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 27 July 1987

Projected Completion or Occupancy

Date 9 September 1987

Fact Sheet Prepared by

Patricia Biancaniello

Reviewed by

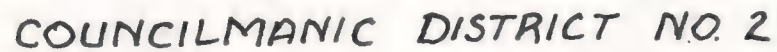


Date 9 September 1987

Date

Sept. 19, 1987

Reference or Case Number



Petitioner requests the vacation of a dedicated utility easement.

Location: 3300 Block of Trier Road
Legal: West 7 ft. of the S 155 ft. of Lot 43 Sanibel Acres
Land Area: Approximately 0.024 Acres
Zoning: Does Not Apply
Reason for Request: To allow POD development
Neighborhood Assoc.: Ranchwood

Landscape: No Comment
Comprehensive Plan: No Comment
Neighborhood Plan: No Comment

Planning Staff Discussion:

This petition was filed in order to allow better use of the lot in a development plan for a Professional Office District development. We have referenced a petition being submitted to amend the restrictive covenants of this subdivision regarding the rezoning of this lot. That petition also provided for the vacating of this easement. The petitioner was advised that he would need to submit a vacation petition, and that he would not be able to accomplish the vacation by only amending the restrictive covenants.

We have no objection to the vacation of this utility easement, as it does not appear necessary for the continued growth of the City of Fort Wayne.

Recommendation: Do Pass

- 1) The easement is not necessary for the continued growth of the City of Fort Wayne.
- 2) Approval would not have an adverse impact on the surrounding properties.
- 3) Approval would allow development of the parcel in a more complementary manner.

R E S O L U T I O N

WHEREAS, GARY and RUTH LEMAN and PAUL STEMEN have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement in Fort Wayne, Allen County, to-wit:

The West 7 feet of the South 155 feet of Lot 43, Sanibel Acres, Section B

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on August 17, 1987 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easement.

WHEREAS, said vacation of dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of dedicated utility easement in Allen County, Indiana.

STATE OF INDIANA)

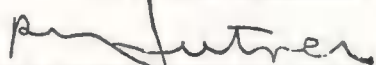
) SS:

COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that the attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held August 24, 1987 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 9th DAY OF September 19 87

FORT WAYNE CITY PLAN COMMISSION


Robert Hutner, Secretary

President of the Common Council
City of Fort Wayne, Indiana

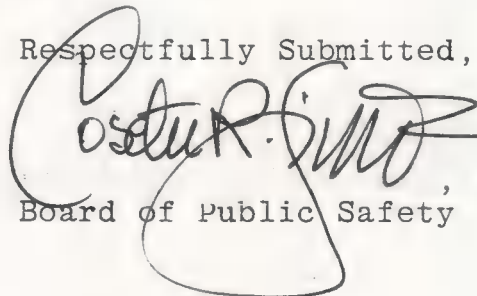
Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers:

132/87/E
±33/87/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

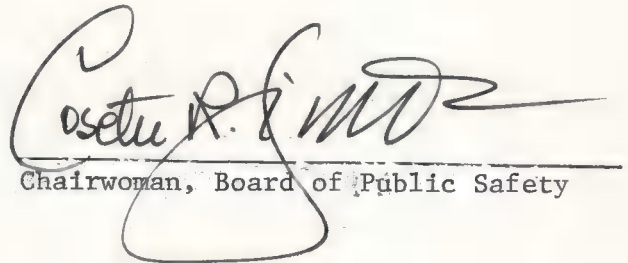
Respectfully Submitted,


_____, Chairwoman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 132/87/ E
133/87 /E)

I hereby certify that I did this 8th day of
September, 19 87 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 132/87/E
133/87/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.


Chairwoman, Board of Public Safety

REGULATORY RESOLUTION NO. 132/87 /E

(Adopted September 8, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

DELETE: STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 3, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 8, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Berry Street -- stop -- for Thieme Drive

DELETE: STOP INTERSECTION (EMERGENCY)

Thieme Drive -- stop -- for Berry Street

REGULATORY RESOLUTION NO. 133/87 /E

(Adopted September 8, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

_____ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 3, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 8, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1513 Kitch Street -- east side -- from 130' south of Pennsylvania St. to 20' south thereof.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers:

134/87/E	138/87/E
135/87/E	139/87/D
136/87/E	140/87/E
137/87/D	

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,



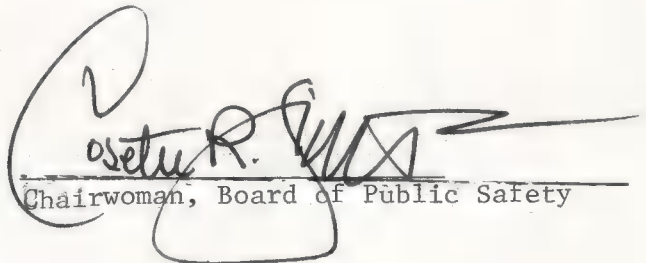
Cosette R. Smith

Board of Public Safety, Chairwoman

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 134/87/E
135/87/E
136/87/E) 139/87/D
137/87/D 140/87/E
138/87/E

I hereby certify that I did this 14th day of
September, 1987 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 134/87/E
135/87/E of the Board of Public
136/87/E 137/87/D 138/87/E 139/87/D 140/87/E
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.


Chairwoman, Board of Public Safety

(Adopted September 14, 19 87)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to 90 MINUTE PARKING 8 AM - 6 PM (EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 8, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

90 MINUTE PARKING 8 AM - 6 PM (EMERGENCY)

Forest Avenue -- north side -- from 135' east of Kensington Blvd.
to Pemberton Drive

(Adopted September 14, 1987)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated September — 8 , 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

STOP INTERSECTION (EMERGENCY)

Nokomis Road -- stop -- for Opeechee Way
Wawonaissa Trail -- stop -- for Opeechee Way
Hiawatha Blvd. -- stop -- for Opeechee Way
Hiawatha Blvd. -- stop -- for Owaissa Way
Hiawatha Blvd. -- stop -- for Ojibway Trail
Hiawatha Blvd. -- stop -- for Algonquin Pass
Nokomis Road -- stop -- for Indian Village Blvd.
Owaissa Way -- stop -- for Wawonaissa Trail
Wendigo Ln. -- stop -- for Meda Pass
Wawonaissa Trail -- stop -- for Ojibway Trail
Wawonaissa Trail -- stop -- for Algonquin Pass

(Adopted September 14, 1987)

regard to STOP INTERSECTION (EMERGENCY)

: AND,

Oakland Street -- stop -- for Putnam Street

REGULATORY RESOLUTION NO. 137/87/D

(Adopted September 14, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

~~DELETE: PREFERENTIAL INTERSECTION (DELEGATED)~~

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 9, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

September 14, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

~~DELETE: PREFERENTIAL INTERSECTION (DELEGATED)~~

Putnam Street -- preferential -- at Oakland Street

(Adopted September 14, 1987)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

Holly Avenue -- stop -- for Schele Avenue

REGULATORY RESOLUTION NO. 139/87/D

(Adopted September 14, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

DELETE: PREFERENTIAL INTERSECTION (DELEGATED)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 9, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

September 14, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: PREFERENTIAL INTERSECTION (DELEGATED)

Schele Avenue -- preferential -- at Holly Avenue

(Adopted September 14, 1987)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING 8 AM TO 9 AM AND 3 PM TO 4 PM (EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated SEPTEMBER 11, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

NO PARKING 8 AM TO 9 AM AND 3 PM TO 4 PM (EMERGENCY)

W. Berry Street -- north side -- from Rockhill Street to Union Street

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 141/87/E
142/87/E)
143/87/D

I hereby certify that I did this 18th day of
September, 1987 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 141/87/E
142/87/E of the Board of Public
143/87/D
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.



Chairwoman, Board of Public Safety

September 18, 1987

President of the Common Council
City of Fort Wayne, Indiana

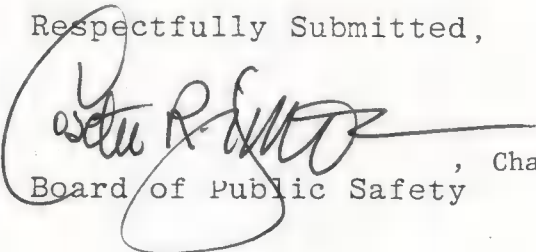
Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers:

141/87/E
142/87/E
143/87/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,


_____, Chairwoman
Board of Public Safety

(Adopted September 18, 19 87)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to THRU STREET (EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated _____ September _____, 15, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

THRU STREET (EMERGENCY)

Hanna Street -- from Decatur Road to the south city limits
except at Decatur Road, Lafayette Street and
Tillman Road.

REGULATORY RESOLUTION NO. 142/87 /E

(Adopted September 18, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to THRU STREET (EMERGENCY)

DELETE: THRU STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated September 17, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 18, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET

(EMERGENCY)

Ardmore Avenue -- from Lower Huntington Road to W. Jefferson Blvd. except at Lower Huntington Road, Engle Road, Covington Road, North Washington Road, and W. Jefferson Blvd.

DELETE: THRU STREET

(EMERGENCY)

Ardmore Avenue -- from Lower Huntington Road to Engle Road

REGULATORY RESOLUTION NO. 143/87 /D

(Adopted September 18, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

NO PARKING (DELEGATED)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 17, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

September 18, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(DELEGATED)

Hanna Street --west side-- from Colerick Street to 40' south thereof.

September 22, 1987

President of the Common Council
City of Fort Wayne, Indiana

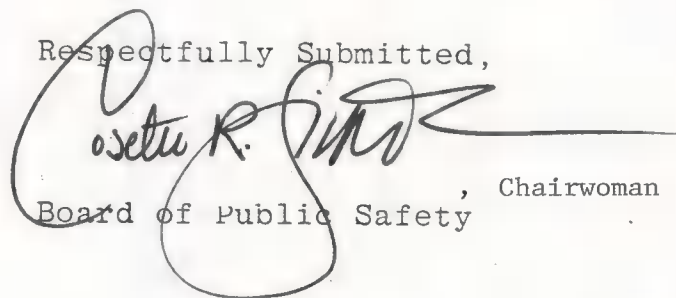
Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers:

144/87/E	148/87/E
145/87/E	149/87/E
146/87/E	
147/87/E	

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,


Colette R. Finto

Board of Public Safety, Chairwoman

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 144/87/E 145/87/E 146/87/E) 147/87/E 148/87/E 149/87/E

I hereby certify that I did this 22nd day of September, 19 87 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 144/87/E 145/87/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as 146/87/E 147/87/E 148/87/E 149/87/E Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



CHAIRWOMAN, BOARD OF PUBLIC SAFETY

REGULATORY RESOLUTION NO. 144/87/E

(Adopted September 22, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to 1 HOUR PARKING 8 AM - 6 PM (EMERGENCY)

DELETE: 2 HOUR PARKING 8 AM - 6 PM (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 21, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 22, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

1 HOUR PARKING 8 AM - 6 PM (EMERGENCY)

City-County Building Parking Lot -- from a point 305' north of Main Street to 435' north thereof, thence east from Calhoun Street to Clinton St.

DELETE: 2 HOUR PARKING 8 AM - 6 PM (EMERGENCY)

City-County Building Parking Lot -- from a point 405' north of Main Street to 435' north thereof, thence east from Calhoun St. to Clinton St.

REGULATORY RESOLUTION NO. 145/87 /E

(Adopted September 22, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to DELETE: TRAFFIC SIGNAL (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated September 21, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 22, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: TRAFFIC SIGNAL (EMERGENCY)

Berry Street and Van Buren Street

(Adopted September 22, 1987)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to DELETE: 2 HR. PARKING 8 AM - 6 PM (Emergency)

: AND,

Berry Street -- both sides -- from Broadway to 65' east thereof

REGULATORY RESOLUTION NO. 147/87/E

(Adopted September 22, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 21, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 22, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Dartmouth Drive -stop-- for Elnora Drive

REGULATORY RESOLUTION NO. 148/87/E

(Adopted September 22, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to IMPAIRED MOBILITY PARKING (RESIDENTIAL)

(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated September 21, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

September 22, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL)

(EMERGENCY)

1114 Nuttman Avenue

--north side--

from 120' west of
Beaver Avenue to
20' west thereof

(Adopted September 22, 1987)

regard to STOP INTERSECTION (EMERGENCY)

: AND,

STOP INTERSECTION (EMERGENCY)

--stop-- for Capitol Avenue